

REMARKS

Claims 1-22 are pending. By this amendment, claims 1, 2, 7, and 10 are amended and claim 6 is canceled. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

On page 2 the Office Action rejects claims 1, 2, and 4-7 under 35 U.S.C. §103(a) over U.S. Patent No. 5,579,057 to *Banker et al.* (hereafter *Banker*) in view of U.S. Patent No. 5,481,542 to *Logston et al.* (hereafter *Logston*). This rejection is respectfully traversed.

Considering claim 1, the Office Action asserts that *Banker* discloses an operation center for text delivery including a data receiver, security means for scrambling the data and an uplink connected to the security means for placing scrambled data into a video signal. The Office Action acknowledges that *Banker* fails to specifically show encryption. In addition, the Office Action asserts that *Banker* shows that data is formatted into a television format and that, although not specifically stated, "it is nonetheless inherent that the data must be formatted into some format after it is received by the receiver." The Office Action then asserts that *Logston* shows encrypting data and additionally shows formatting data before encryption. The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Banker* with the encryption of *Logston* to provide a more secure data transmission means.

Banker is directed to a subscription television system with an improved onscreen display system to be used at a subscriber terminal. *Logston* is directed to a digital video, audio and data distribution system that enables a set top terminal associated with a customers television to request interactive digital video, audio and data services from a service provider. However, nothing in *Banker* or *Logston* discloses or suggest combining means that combines text data prior to the data being uplinked.

Claim 1, as amended, recites combining means, connected to a processor and formatter, for combining text data prior to the data being uplinked. As is clear from the specification, the combining means is used to combine text data from disparate sources so that the text data may be provided with a video signal for delivery to subscribers. See at least Figure 4 and its accompanying description. There is nothing in *Banker* or *Logston* that discloses combining text data from multiple sources so that the text data may be placed into a video signal for distribution to subscribers. Accordingly, claim 1 is patentable.

Claim 7 is amended to include the step of combining text data. As noted above with respect to claim 1, this feature of combining text data at the operation center is not disclosed or suggested by *Banker* and *Logston*, individually and in combination. Accordingly, claim 7

is also patentable. Claims 2, 4, and 5 depend from patentable claim 1. For this reason and the additional features they recite, claims 2, 4, and 5 are also patentable. Claim 6 is canceled and its rejection is moot. Withdrawal of the rejection of claims 1, 2, and 4-7 under 35 U.S.C. §103(a) is respectfully requested.

On page 4 the Office Action rejects claim 3 under 35 U.S.C. §103(a) over *Banker* in view of *Logston* and further in view of U.S. Patent No. 5,579,055 to *Hamilton et al.* (hereafter *Hamilton*). This rejection is respectfully traversed.

Claim 3 depends from patentable claim 1. For this reason and the additional features it recites, claim 3 is also patentable. Withdrawal of the rejection of claim 3 under 35 U.S.C. §103(a) is respectfully requested.

On page 4 the Office Action rejects claims 8-13 and 15-21 under 35 U.S.C. §103(a) over *Hamilton* in view of *Logston*. This rejection is respectfully traversed.

The Office Action asserts that *Hamilton* shows a system for delivering text comprising means for receiving text data, means for storing the text data, a communication system for delivering text, and a home subsystem for receiving text data. The Office Action admits that *Hamilton* fails to specifically show the user requesting text to be delivered. However, the Office Action asserts that *Logston* shows a user request for text and the system delivering the text upon the request. As support for this proposition, the Office Action refers to *Logston* at column 4, lines 20-32, column 7, lines 1-26, and column 8, lines 1-25 and 50-67.

Applicant has carefully reviewed the cited passages from *Logston* and strongly disagrees with the Examiner's position that *Logston* shows a user requesting text. Further, Applicant has thoroughly reviewed *Logston*, and believes there is nothing in *Logston* that discloses or suggests a user requesting text. Thus, Applicant asserts that the combination of *Hamilton* and *Logston* does not disclose or suggest a communication system for receiving text data request and responding to the text data request and does not disclose or suggest a home subsystem for requesting text data and receiving the text data via the communication system.

In contrast to *Hamilton* and *Logston*, claim 8 recites a communication system connected to a file server for receiving text data requests and for responding to text data requests and a home subsystem, connected to the communication system, for requesting text data and receiving text data via the communication system. Since this feature is not disclosed or suggested by *Hamilton* or *Logston*, individually, and in combination, claim 8 is patentable.

Claim 9 depends from patentable claim 8, and for this reason and the additional features it recites, claim 9 is also patentable.

Considering claim 10, Applicant has amended this claim to recite a combiner, connected to a processor and a formatter, that combines text data for delivery. As discussed above with respect to claims 1 and 7, use of the combiner is not disclosed or suggested by *Banker* and *Logston*, individually, and in combination. Furthermore, a combiner is not disclosed or suggested by *Hamilton*. Accordingly, claim 10 is patentable. Claims 11-13 and 15-21 depend from patentable claim 10, and for this reason and the additional features they recite, these claims are also patentable. Withdrawal of the rejection of claims 8-13 and 15-21 under 35 U.S.C. §103(a) is respectfully requested.

On page 6 the Office Action rejects claim 14 under 35 U.S.C. §103(a) over *Hamilton* in view of *Logston* and U.S. Patent No. 5,371,532 to *Gelman et al.* (hereafter *Gelman*). This rejection is respectfully traversed.

Claim 14 depends from patentable claim 10. For this reason and the additional features it recites, claim 14 is also patentable. Withdrawal of the rejection of claim 14 under 35 U.S.C. §103(a) is respectfully requested.

On page 7 the Office Action rejects claim 22 under 35 U.S.C. §103(a) over *Hamilton* in view of *Logston* and U.S. Patent No. 4,816,904 to *McKenna et al.* (hereafter *McKenna*). This rejection is respectfully traversed.


Claim 22 depends from patentable claim 10. For this reason and the additional features it recites, claim 22 is also patentable. Withdrawal of claim 22 under 35 U.S.C. §103(a) is respectfully requested.

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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